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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,500	02/12/2004	Per-Ake Minborg	2002-544	3666
54472 7590 02/23/2010 COATS & BENNETT/SONY ERICSSON 1400 CRESCENT GREEN SUITE 300 CARY, NC 27518				
EXAMINER				
KING, SIMON				
ART UNIT		PAPER NUMBER		
2614				
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02/23/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/776,500

Applicant(s)

MINBORG ET AL.

Examiner

SIMON KING

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/22)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

Allowable Subject Matter

1. Claim 11 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-9 rejected under 35 U.S.C. 102(e) as being anticipated by Asthana et al. (US 2009/0106380 A1. Provisional application No. 60/298,983, filed on Jun. 18, 2001).

As for claim 1, Asthana discloses a method (abstract) of providing data objects to terminals of subscribers in a first telecommunications network having first subscribers with autonomous type terminals (Fig.2: Mobile computer 24) and second subscribers with network type terminals (Fig.2: desktop system 26), wherein the autonomous type terminals comprise functionality for client-based retrieval of data objects and wherein the network type terminals rely on functionality in the network to provide for retrieval of data objects ([0071]), the method comprising: associating each of the first and second subscribers with the corresponding type of terminal ([0071-0073]: redirect server 12 associates with users of mobile computer 24 and user

of desktop system 26 or 28); determining occurrences of triggering events indicating communication events between subscribers ([0071-0072] and [0013-0014]); and upon determination of each triggering event, selectively providing data object retrieval only to subscribers associated with network type terminals ([0073]: example shows that data item C directed to desktop computer 28).

As for claim 2, Asthana discloses the method, further comprising: associating a terminal capability with at least one of the second subscribers; wherein providing data object retrieval only to subscribers associated with network type terminals comprises providing data retrieval in view of the associated terminal capabilities ([0072]).

As for claim 3, Asthana discloses the method, further comprising: determining whether a subscriber involved in a first communication event belongs to a second network and, if the subscriber belongs to the second network, then selectively letting the second network provide data object retrieval to the subscriber based on whether the second network provides data object retrieval for network type terminals (Fig.1 and [0064-0066]: data item message A from 26 to 28 via Local Area Network 14).

As for claim 4, Asthana discloses the method, further comprising: determining whether a subscriber involved in a first communication event belongs to a second network and if the subscriber belongs to the second network, then selectively providing data object retrieval to the subscriber based on whether the second network provides data object retrieval for network type terminals ([0064-0066]).

As for claim 5, Asthana discloses the method, further comprising: only providing data objects of a text nature to subscribers belonging to the second network ([0046-0047]).

As for claim 6, Asthana discloses the method, further comprising: only providing data objects of an audio nature to subscribers belonging to the second network ([0046-0047]).

As for claim 7, Asthana discloses the method, wherein providing data object retrieval comprises: requesting a phone page number service to determine a phone page web server; requesting a data object of the phone page web server; and providing the data object received from the phone page web server to a subscriber involved in a first communication event ([0018]).

As for claim 8, Asthana discloses the method, wherein providing data object retrieval comprises: requesting a data holder to provide a data object to a subscriber involved in a first communication event ([0006]).

As for claim 9, , Asthana discloses a filtering server (Fig.2: server 12) of a communication network arranged to provide data objects to terminals of subscribers, the communication network having first subscribers with autonomous type terminals and second subscribers with network type terminals, wherein the autonomous type terminals comprise functionality for client-based retrieval of data objects and wherein the network type terminals rely on functionality in the network to provide for retrieval of data objects, wherein the filtering server is arranged to: associate each of the first and second subscribers with the corresponding type of terminal; determine occurrences of triggering events indicating communication events between subscribers; and upon determination of each triggering event, to provide data object retrieval only to subscribers associated with network type terminals (see rejection for claim 1).

Response to Arguments

2. Applicant's arguments with respect to claims 1-9 and 11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SIMON KING whose telephone number is (571)270-1950. The examiner can normally be reached on 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, FAN TSANG can be reached on (571)272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

17 February 2010

/SIMON KING/
Examiner, Art Unit 2614

/Fan Tsang/
Supervisory Patent Examiner, Art Unit 2614